

FIRE BREAKS OUT AFRESH IN THE COAL SHAFT AT CHERRY

AIR FANNED THE EMBERS

Mine Again Sealed Up and
Rescue Work Abandoned—
No Hope That Any of En-
tombment Men Will Survive.

NUMBER OF THE VICTIMS NOT DEFINITELY KNOWN

Two Hundred Widows and
1,000 Orphans Thrown Up-
on Charity of World, Ac-
cording to Latest Figures.

MINE WORKERS SEND AID

Cherry, Ill., Nov. 15.—The 300 or
more miners entombed in the St. Paul
mine by last Saturday's disaster are
dead. Some of the bodies lie buried
beneath thousands of tons of earth,
which have caved in upon them, and
it is doubtful if many ever can be
recovered.

This was the opinion expressed to-
night when attempts at rescue work,
carried on night and day for forty-
eight hours, were temporarily aban-
doned. Renewed fires in the mine
made further descents by rescuers
impossible.

Fans employed in an effort to carry
fresh air to the imprisoned men served
only to enliven some sparks which sprang
into a flame. Soon the heat and smoke
became so dense it was necessary to
again seal up the mouth of the hoisting
shaft, and tonight men down there, what-
ever their condition, are locked in as
effectively as in a dungeon.

Whether the bodies will be taken out
tomorrow depends upon the condition of
the internal fire. It is possible that
steam and chemicals producing a carbonic
acid gas will be forced through
pipes to the bottom of the mine to-
morrow. These will have a tendency to
choke out the flames.

It was learned that 200 coffins have
been ordered—half of them to arrive to-
morrow and half the following day.
It is believed that no one within the
power of resuscitation will be brought
out of the mine.

Hope, Then Despair.

Hope hung frequently in the balance
today. Before the fire broke out again
rescuers descended four times. Then the
rumor circulated quickly through the
crowds that the men below ground had
been reached, and the reason they
were not brought up immediately was
that they were exhausted by lack of food
and smoke.

"They're alive; they're alive!" cried
hopeful mothers and wives. "They'll be
brought up pretty soon." They were
brought up, but they were dead. The
rescuers did not know until they had
reached the bottom of the shaft. Then,
groping their way with electric
lamps and kept alive by oxygen
stored in their helmets, they penetrated
150 feet into the bottom gallery. But
none of the miners, either dead or alive,
was found.

"Hey, are you there?" cried the re-
scuers cheerily, but nothing was heard in
response.

Fire Broke Out Again.

It was conjectured that the miners had
crawled for safety into recesses most re-
mote from the fire, but to these parts
rescuers were unable to go without re-
ascending. Before they could again de-
scend the fire had broken out. Gradually
the crowd about the mouth of the shaft
began to thin as hope seemed to wane.

At dusk tonight a tall skeleton frame-
work of iron, surrounded by a group of
lax wooden buildings, which a few days
ago had been the scene of industry, sug-
gested by their desolation that hope had
been abandoned. Only a half dozen
guards patrolled the premises. In the
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COPPER MAGNATE HERE



F. AUGUSTUS HEINZE.

F. Augustus Heinze, who arrived in Salt
Lake last night, believes that the plan of
the Morgan interests to form a copper
selling agency will, if properly organized
and conducted, prove a godsend to the
copper producer and consumer alike. In
his opinion, in an interview last night, Mr.
Heinze said, the stability of price would
result in great benefit to the whole in-
terested in the production and marketing
of copper.

"I am not directly connected with this
copper selling company, although as a
producer I am especially interested in the
proposition," said Mr. Heinze. "I believe
firmly that a copper selling company or-
ganized on plans which have been an-
nounced would, if properly conducted, re-
sult in great benefit to the copper pro-
ducer and the copper consumer alike. Sta-
bility in the price of steel has been of
great advantage to that industry, and
the copper industry has felt the lack of
this feature to its great injury."

Mr. Heinze, who has been in Butte for
Continued on page 7.

SUGAR TRUST INQUIRY NOW EXCITES MUCH ATTENTION

New York, Nov. 15.—While the legal machinery of the government
moves slowly, the air of uncertainty surrounding the so-called sugar fraud
cases is interpreted to foreshadow an inquiry which may rank with the in-
surance upheaval of 1905.

Boston and Philadelphia were brought within the scope of the in-
vestigation today, with the report that the government would attempt to ob-
tain back duties on sugar in those cities, while the investigation went on
in New York with repeated rumors of reaching "men higher up."

Washington, Nov. 15.—James B. Reynolds, former assistant secretary of the
treasury and at present a member of
the tariff board, tonight gave out a
statement replying to published charges
that the treasury department in the
Roosevelt administration had been in-
different in obtaining evidence of the
sugar weighing customs frauds, and
that Richard Parr, a special agent of
the department had not been sup-
ported in his investigations of the
frauds. Mr. Reynolds denies that in his
incumbency the customs department
was under the influence of the sugar
trust.

"It should be remembered that it was
while I was assistant secretary of the
treasury that the investigation of the
sugar trust was made and the trial
held which resulted in the conviction
of the company in court. During all
the time I held that office there never
was, to my knowledge, a single effort
made to influence my judgment in any
way by the sugar trust."

"So far as I know, the first specific
information in regard to a fraud came
in September, 1907, when a letter came
from a New York man stating that he
could prove that the government was
being swindled. I at once wrote to
him that the department would be glad
to do anything in its power to see
that such a condition of affairs as
you describe is stopped at once, and if
there is guile anywhere along the line
to see that there is proper punish-
ment."

"The gentleman who sent the letter
came to the department later and gave
information which was at once sent
to the special officers at New York for
investigation."

"There is one thing to keep in mind
in order to give proper weight to the
statements that have been made. Mr.
Parr is now and has been for some time
a claimant for a share of the two mil-
lion dollars turned over to the depart-
ment by the sugar trust. A rule which
I made as assistant secretary, and which
I rigidly enforced, stood between him
and the money reward he desires for
his services as a government agent."

"Mr. Parr knows that, should the
order be rescinded in this particular
case, he would still be compelled to
prove that he was the original infor-
mation on which the department acted
in making investigation with the sub-
sequent results. He naturally does not
minimize, to say the least, his own part
in the proceedings."

CARLISLE'S CONDITION REGARDED AS SERIOUS

New York, Nov. 15.—There was a
change for the worse today in the con-
dition of former Secretary of the Treas-
ury John G. Carlisle, who is under
treatment for intestinal disorders at
St. Vincent's hospital.

The attending physician said tonight
that his condition "had assumed a more
serious aspect." He declined to make
any further statement.

MURDERED BY TRAMP.

Vernon, S. D., Nov. 15.—Mrs. Albert
Nelson was killed in her bedroom early
today by a tramp laborer hired to do
some extra work on the Nelson farm.
Mrs. Nelson's husband was aroused and
killed the man, but suffered probable
fatal injuries himself.

FOUR MINERS KILLED.

El Paso, Tex., Nov. 15.—Four Mexican
miners were killed Saturday night by the
cave-in of ore in the mines of the Colo-
rado Fuel & Iron company at Pierra,
N. M.

Mandate Will Be Issued This Week

GOMPERS AT END OF ROPE

Court of Appeals for District
of Columbia Denies Appli-
cation for Stay of Execution of
Sentence in Contempt Case.

LABOR LEADERS HAVE ONE HOPE REMAINING

Delegates to the Federation
Convention, Now in Session
at Toronto, May Charter a
Train and Go to Capital.

STRIKE PLAN IS SUGGESTED

Washington, Nov. 15.—The court
of appeals of the district of Colum-
bia today denied an application made
by counsel for Samuel Gompers, John
Mitchell and Frank Morrison, sen-
tenced to jail for contempt, for a stay
in the issuance of the mandate to the
supreme court of the district of Col-
umbia until January 2, 1910. Unless
notice of an appeal is given before
next Friday night, the mandate will
be handed down Saturday.

Toronto, Ont., Nov. 15.—Just as the
convention of the American Federation of
Labor was about to adjourn for the day
a telegram was received from Wash-
ington announcing that the stay asked
for by the attorneys for President Gompers, Vice
President Mitchell and Secretary Morri-
son in the proceedings against them for
contempt of court, had been denied by
the court of appeals of the District of
Columbia.

President Gompers plainly was sur-
prised, and as he had the message to
the convention, delegates sat as though
dazed.

"That means that the resources of the
lawyers have been exhausted, doesn't it?"
asked one of the delegates.

Gompers in Doubt.

"The chair is not in a position to state,"
replied President Gompers. "Then, as he
read the message stating 'the mandate
goes down Saturday morning,' the faces
of himself and his fellow officers be-
trayed the anxiety under which they were
labouring."

A telegram signed by the three defend-
ants was sent to their counsel in Wash-
ington asking when it would be neces-
sary for them to put in an appearance
to avoid forfeiting their bonds, which
amount to \$12,000, and stating that they
would like to remain in Toronto until the
close of the convention Saturday night.

"I am certain whether under the
law of the District of Columbia, we can
appeal," said Mr. Gompers after ad-
journing. "But if we do go, the con-
vention must stay here and carry on its
proceedings in a dignified and orderly
manner."

Delegates All Want to Go.

"We'll charter a train and all go down
with you," volunteered one of the de-
legates.

"And even the seceders will join you,"
added J. J. Reid, president of the seced-
ing faction of the Electrical Workers.

The suggestion that the delegates should
be adjourned to Washington in the event of
the departure of Gompers, Mitchell and
Morrison, was not seriously considered,
and it was said a resolution to that
effect might be prepared. Pending a
reply from Washington, the executive
committee of Philadelphia that is
planning for meeting the situation
which confronts the three labor leaders,
were discussing the matter.

Many delegates have expressed disap-
proval of the plan suggested by the Cen-
tral Labor Union of Philadelphia to have
two weeks' general strike be ordered as
a protest against the contempt imprison-
ment.

NOT VIOLATIONS OF OPEN DOOR POLICY

Secretary Knox Makes State-
ment Regarding the China-
Japan Treaties.

Washington, Nov. 15.—Recent treaties
entered into by China and Japan as to
the operation of coal mines along the
South Manchurian railway and the An-
tung-Mukden railway do not create
monopolies, and hence are not viola-
tions of the "open door," or the "equal
opportunities" principles, to the ob-
servation of which all leading powers are
pledged.

This is the conclusion reached by the
state department after a long and care-
ful investigation of the questions in-
volved.

The department today issued the fol-
lowing statement:

"In view of the widespread publicity
of the statement that the recent Chi-
nese-Japanese agreement relating to
Manchuria created for Chinese and
Japanese subjects a monopoly to carry
on mining operations along the South
Manchurian railway, and Antung-Muk-
den railway, which would exclude
Americans from an extensive field of
industrial enterprise, inquiry has been
made of the two signatory powers, and
official assurance has been received
from each to the effect that no such ex-
clusive claim to mining rights was in-
tended by the agreement; and that, if
minerals are found by Americans and
others within the designated territories,
no objection will be made to their work-
ing mines under concessions granted by
China—the whole scope and purpose of
the agreement being that any opera-
tions by Chinese and Japanese subjects
of the mines within the territory men-
tioned should be joint as between them-
selves."

"The above assurance confirms the
conclusion already reached by the de-
partment as a result of its careful study
of the agreement in the light of related
and contextual evidence."

COPPER PRODUCERS GETTING TOGETHER

Repeated Rumors of a \$1,- 000,000,000 Corporation to Control Output, Treat- ment and Sale.

New York, Nov. 15.—No information could be obtained today of the
reported organization of a new \$1,000,000,000 corporation to control the
output of copper.

Numerous conferences of copper interests have been held at the office
of J. P. Morgan & Co., but none of the parties will talk of the reported
combination.

Fairly general credence is given the statement that J. P. Morgan &
Co. will have the financing of the deal in charge, with the National City
bank and the First National bank as the probable mediums through which
the security issues will be handled.

A world-wide distribution is said to
be intended, however, with several
European institutions of prominence to
attend to the flotation abroad.

Production, treatment, and sale of
copper to the amount of approximately
800,000,000 pounds are included in the
plans of the men interested in the pro-
posed merger, which is expected to bear
the relation to the copper industry that
the United States Steel corporation does
to the steel industry. Named in con-
nection with the combination are the
Amalgamated, Guggenheim, Phelps-
Dodge and Cole-Ryan properties and af-
filiated interests. Included are the
prominent low-grade or porphyry cop-
per properties in Nevada and Utah, in-
cluding the Utah Copper company.

Calumet and Hecla Outside.

There is no inclusion of the Calumet
and Hecla. The Haggin interests in
Peru and the Rio Tinto properties in
Spain may be included.

Stock of the new company, it is said,
is to be issued in exchange for the
outstanding shares of the properties
in the merger.

It was stated late today that the cop-
per consolidation probably would be
concluded some time before the first
of the year. A dispatch from Boston
stated it was believed there that John
D. Ryan, president of the Amalgamated
Copper company, would be the head of
the combine.

The reports regarding the impending
merger or agreement among great cop-
per producers today sent prices to new
high records for the year.

There were denials of rumors that
merger negotiations had gone beyond
the tentative stage, but it was gener-
ally admitted that certain interests are
trying to bring about an agreement be-
tween producers to regulate the output
and thereby to prevent overproduction
and depreciation of values.

Some Guarded Denials.

A report from Boston that a corpora-
tion with a billion dollars capitaliza-
tion was to be formed, with the firm of
J. P. Morgan in charge of the financing,
was denied by a member of the Morgan
firm. Similar guarded denials from
officials of several independent copper
concerns indicated that negotiations are
merely tentative.

On the other hand, Wall street's con-
fidence in the ultimate success of the
merger plans are indicated by the trend
of the day's prices.

Amalgamated Copper advanced to
\$44, a new high level since the spring
of 1907, and Anaconda reached \$3,
a new high record for the year.

When the market closed 160,000 shares
of Amalgamated, 40,000 shares of Ana-
conda and 55,000 shares of American
Smelting had been traded in, with net
gains for the day of from 1 1/2 to 2
points each.

Some Local Opinions.

J. B. Risque, manager of the Utah
Consolidated Mining company, stated
last night that he regarded the
combination of the bigger interests as
the result of flighty conditions in the
copper market.

"The effect of such a combination will
be to place copper on a stable basis,"

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SUPREME COURT'S DIGNITY ASSUMES NORMAL BALANCE

Sheriff Shipp and Five Others in Jail For Not Preventing a Lynching.

Washington, Nov. 15.—For the first time in American history six
men are in prison tonight for contempt of the supreme court of the
United States. For the first time the federal government has placed men
behind the bars as an outcome of lynching a negro.

At the United States jail here Captain Joseph F. Shipp, former sher-
iff at Chattanooga; Jeremiah Gibson, his jailer, and Luther Williams, Nick
Nolan, Henry Padgett and William Mayes of the same city, this after-
noon began to serve terms of imprisonment.

Shipp and Gibson had been found
guilty of failing to protect from a mob
Ed Johnson, whose legal execution for
rape had been stayed by the Supreme
court until it could review the case.
The others had been found guilty of
participating in the lynching of a fed-
eral prisoner.

Shipp, Williams and Nolan each were
sentenced to ninety days' imprisonment,
while Gibson, Padgett and Mayes each
received sixty days.

As the doors of the jail swung open
immediately after sentence had been
imposed Warden McKee stood before
them.

"At least we are in the hands of a
soldier," exclaimed Captain Shipp, who
had been in many a fight for the con-
federacy, as he espied a G. A. R. but-
ton in the lapel of Warden McKee.
Then turning to his fellow prisoners,
he said:

"Boys, it will be all right."
Warden McKee has inaugurated
methods of punishment at the jail as
humanitarian as the various classes of
prisoners will allow, and he was pre-
pared for the reception of the six men
from Tennessee.

A year ago in the imprisonment of
an unusually large number of women,
the warden had fitted up a storeroom
on the fourth floor of the jail as quar-
ters for female prisoners. It was in
this large room, twenty by thirty-five
feet, that he locked the six prisoners.

In the room was a bed for each, while
at one end was a table upon which
"trusties" will set their meals three
times a day. A bathroom, adjoining,
will be used by the prisoners exclu-
sively. Four large circular windows
open to the south and west, giving ex-
cellent views of the front of the build-
ings. In fact, so pleasant did the pris-
oners find their quarters that Captain
Shipp sent his attorney to the office of
the Supreme court to withdraw a re-
quest he had made when sentence was
imposed to be sent to the federal prison
at Atlanta, Ga.